

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**KEVIN D. MARLOWE,**  
**Plaintiff**

**v.**

**UNITED STATES OF AMERICA,**  
**Defendant**

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**No. 1:20-cv-2389**

**(Judge Kane)**  
**(Magistrate Judge Carlson)**

**ORDER**

Before the Court is the February 19, 2021 Report and Recommendation of Magistrate Judge Carlson (Doc. No. 10), recommending that the Court dismiss Plaintiff Kevin D. Marlowe (“Plaintiff”)’s complaint (Doc. No. 1) on the grounds that the instant “lawsuit is untimely, procedurally improper, and utterly without merit” (Doc. No. 10 at 11). No timely objections to the Report and Recommendation have been filed.

**ACCORDINGLY**, on this 8th day of March 2021, upon independent review of the record and the applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** the Report and Recommendation of Magistrate Judge Carlson (Doc. No. 10);
2. Plaintiff’s complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted; and
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania